

**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

1354

In re Application of: Mohammed Ali Hajianpour

Application No.: 10/602,205

Filed: 06/24/2003

For: DEVICE FOR EXTERNAL FIXATION OF BONE FRACTURES WITH CLAMPING OF MULTIPLE PINS AND WITH A FIXTURE FOR
APPLYING EXTENSION TO BONE FRAGMENTS

The owner*, Phoenix Orthopaedic Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 6,585,736 as the term of said **prior patent** is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 33,863

Ronald V. Davidge
Signature

05/16/2006
Date

Ronald V. Davidge
Typed or printed name

05/19/2006 FFANAEIA 00000051 10602205

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954-344-9880
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



ASSIGNMENT OF A PATENT

Whereas I,

Mohammed Ali Hajianpour

of Fort Lauderdale

County of Broward

and State of Florida

hereinafter called the "Patentee," did obtain a United States Patent No. 6,585,736 B2, issued January 1, 2003, for an improvement in a

DEVICE FOR EXTERNAL FIXATION OF A FRACTURED RADIUS WITH SIMULTANEOUS CLAMPING OF MULTIPLE PINS AND WITH A FIXTURE FOR APPLYING FIXATION TO DISTAL BONE FRAGMENTS

and whereas, I am now the sole owner of said patent, and

Whereas Phoenix Orthopaedic Corporation., a corporation of Florida, whose mailing address is 10001 NW 50th Street, #W2, Sunrise, Florida. 33351, hereinafter called the "Assignee," desires to acquire the entire right, title, and interest in the same.

Whereas the above-identified Applicant desires to assign his rights, title, and interest in the application and invention and to any United States and foreign patents to be obtained therefor,

Now, therefore, in consideration of the sum of five dollars (\$5.00), the receipt whereof is hereby acknowledged, and other good and valuable consideration, I, the Patentee, by these presents do sell, assign, and transfer to the Assignee, the full and exclusive right to the said patent aforesaid, the same to be held and enjoyed by the said Assignee for his own use and behoof, and for his legal representatives and assigns, to the full end of the term for which said patent is granted, as fully and entirely as the same would have been held by me had the assignment and sale not been made.

Signed at:

Lauderdale Lakes FL.

City, State

Mohammed Ali Hajianpour

Date

5/5/06